

STROOCK

By Federal Express

December 8, 2009

Daniel A. Ross
Direct Dial 212-806-5811
Direct Fax 212-806-7811
dross@stroock.com

Mr. William Thomas
U.S Department of Housing and Urban Development
Office of RESPA and Interstate Land Sales
451 Seventh Street, SW, Room 9154
Washington, DC 20410

Re: Fifth on the Park Condo, LLC (the "Developer") 1485 Fifth Avenue, New York, New York (the "Development") - ILS 32463/I-09-144

Dear Mr. Thomas:

On behalf of the Developer, and in furtherance of our responses to your jurisdictional questionnaire submitted on August 18, 2009, enclosed are copies of the Certificate of Occupancy No. 104195728T005, for the Development, effective September 10, 2009 and Certificate of Occupancy No. 104195728T006, for the Development, effective November 13, 2009. Accordingly, as of September 10, 2009, all residential units in the Development have been certified for occupancy.

Please be advised that since our August 18, 2009 responses, the Developer has not entered into any new contracts for the sale of residential units in the Development. However, some purchasers have closed title to units that were smaller and/or less expensive than the units those purchasers originally contracted to buy. In each case, the substituted unit was covered by a certificate of occupancy at the time of the substitution.

Please call or e-mail me if you require any additional information.

Very truly yours,

Daniel A. Ross

Enclosures



Page 1 of 3

Certificate of Occupancy

CO Number: 104195728T005

This certifies that the premises described herein conforms substantially to the approved plans and specifications and to the requirements of all applicable laws, rules and regulations for the uses and occupancies specified. No change of use or occupancy shall be made unless a new Certificate of Occupancy is issued. *This document or a copy shall be available for inspection at the building at all reasonable times.*

A. Borough: Manhattan Address: 1481 5 AVENUE Building Identification Number (BIN): 1087768		Block Number: 01746 Lot Number(s): 2 Building Type: New	Certificate Type: Temporary Effective Date: 09/10/2009 Expiration Date: 12/09/2009
<i>For zoning lot metes & bounds, please see BISWeb.</i>			
B. Construction classification: 3 (1968 Code) Building Occupancy Group classification: J-2 (2008 Code) Multiple Dwelling Law Classification: HAEA			
No. of stories: 30		Height in feet: 310	No. of dwelling units: 204
C. Fire Protection Equipment: Standpipe system, Fire alarm system, Sprinkler system			
D. Type and number of open spaces: None associated with this filing.			
E. This Certificate is issued with the following legal limitations: None			
Outstanding requirements for obtaining Final Certificate of Occupancy: There are 15 outstanding requirements. Please refer to BISWeb for further detail.			
Borough Comments: None			

Borough Commissioner

Commissioner

DOCUMENT CONTINUES ON NEXT PAGE



Certificate of Occupancy

CO Number: 104195728T005

Permissible Use and Occupancy						
All Building Code occupancy group designations are 1968 designations, except RES, COM, or PUB which are 1938 Building Code occupancy group designations.						
Floor From To	Maximum persons permitted	Live load lbs per sq. ft.	Building Code occupancy group	Dwelling or Rooming Units	Zoning use group	Description of use
CEL	50	B-2 D-2			2,4	PARKING FOR 77 CARS, MECHANICAL EQUIPMENT ROOMS (ADDITIONAL LIVE LOAD IS 75)
SUB	OG	B-2			2,4	PARKING FOR 75 CARS, STORAGE, MECHANICAL EQUIPMENT ROOM
001						RESIDENTIAL LOBBY
006	40	J-2	11	2		11 RESIDENTIAL UNITS, ACCESSORY POOL
007 012	40	J-2	15	2		FIFITEEN (15) APARTMENTS
013	40	J-2	9	2		9 RESIDENTIAL UNITS
014 015	40	J-2	10	2		10 RESIDENTIAL UNITS PER FLOOR
016 017	40	J-2	10			10 RESIDENTIAL UNITS PER FLOOR
018	40	J-2	7	2		5 RESIDENTIAL UNITS, 4 LOWER PORTION OF DUPLEX UNITS
019	40	J-2	6	2		4 RESIDENTIAL UNITS, 4 UPPER
020 024	40	J-2	6	2		6 RESIDENTIAL UNITS PER FLOOR
025	40	J-2	6			SIX (6) RESIDENTIAL UNITS (EXCLUDING APARTMENT 25C)
026	40	J-2	3.33	2		3 RESIDENTIAL UNITS, LOWER PORTION OF TRIPLEX

Borough Commissioner

Commissioner

DOCUMENT CONTINUES ON NEXT PAGE



Page 3 of 3

Certificate of Occupancy

CO Number: 104195728T005

Permissible Use and Occupancy						
All Building Code occupancy group designations are 1968 designations, except RES, COM, or PUB which are 1938 Building Code occupancy group designations.						
Floor From To	Maximum persons permitted	Live load lbs per sq. ft.	Building Code occupancy group	Dwelling or Rooming Units	Zoning use group	Description of use
027	40		J-2	2.33	2	1 RESIDENTIAL UNIT, LOWER PART OF 2 DUPLEX UNITS MID PORTION OF TRIPLEX UNIT(EXCLUDING APARTMENT 27C)
028	40		J-2	2.33	2	1 RESIDENTIAL UNIT, UPPER PORTION OF 2 DUPLEX UNITS, UPPER PORTION OF TRIPLEX UNIT(EXCLUDING APARTMENT 28B)
029	75		D-2		2	MECHANICAL EQUIPMENT ROOMS
030	75		D-2		2,4	MECHANICAL EQUIPMENT ROOMS
ROF	75		D-2		2,4	ELEVATOR MACHINE ROOM
END OF SECTION						

Borough Commissioner

Commissioner

END OF DOCUMENT

104195728/005 9/11/2009 3:35:38 PM



Page 1 of 3

Certificate of Occupancy

CO Number: 104195728T006

This certifies that the premises described herein conforms substantially to the approved plans and specifications and to the requirements of all applicable laws, rules and regulations for the uses and occupancies specified. No change of use or occupancy shall be made unless a new Certificate of Occupancy is issued. *This document or a copy shall be available for inspection at the building at all reasonable times.*

A. Borough: Manhattan Address: 1481 5 AVENUE Building Identification Number (BIN): 1087768		Block Number: 01746 Lot Number(s): 2 Building Type: New	Certificate Type: Temporary Effective Date: 11/13/2009 Expiration Date: 02/11/2010
<i>For zoning lot metes & bounds, please see BISWeb.</i>			
B. Construction classification: 3 (1968 Code) Building Occupancy Group classification: J-2 (2008 Code) Multiple Dwelling Law Classification: HAEA No. of stories: 30 Height in feet: 310 No. of dwelling units: 204			
C. Fire Protection Equipment: Standpipe system, Fire alarm system, Sprinkler system			
D. Type and number of open spaces: None associated with this filing.			
E. This Certificate is issued with the following legal limitations: None			
Outstanding requirements for obtaining Final Certificate of Occupancy: There are 16 outstanding requirements. Please refer to BISWeb for further detail.			
Borough Comments: None			

Borough Commissioner

Commissioner

DOCUMENT CONTINUES ON NEXT PAGE



Page 2 of 3

Certificate of Occupancy

CO Number: 104195728T006

Permissible Use and Occupancy						
All Building Code occupancy group designations are 1968 designations, except RES, COM, or PUB which are 1938 Building Code occupancy group designations.						
Floor From To	Maximum persons permitted	Live load lbs per sq. ft.	Building Code occupancy group	Dwelling or Rooming Units	Zoning use group	Description of use
CEL	60		B-2 D-2	2,4		PARKING FOR 77 CARS, MECHANICAL EQUIPMENT ROOMS (ADDITIONAL LIVE LOAD IS 75)
SUB	OG		B-2	2,4		PARKING FOR 75 CARS, STORAGE, MECHANICAL EQUIPMENT ROOM
001						RESIDENTIAL LOBBY
006	40		J-2	11	2	11 RESIDENTIAL UNITS, ACCESSORY POOL
007 012	40		J-2	15	2	FIFTEEN (15) APARTMENTS
013	40		J-2	9	2	9 RESIDENTIAL UNITS
014 015	40		J-2	10	2	10 RESIDENTIAL UNITS PER FLOOR
016 017	40		J-2	10		10 RESIDENTIAL UNITS PER FLOOR
018	40		J-2	7	2	5 RESIDENTIAL UNITS, 4 LOWER PORTION OF DUPLEX UNITS
019	40		J-2	6	2	4 RESIDENTIAL UNITS, 4 UPPER
020 024	40		J-2	6	2	6 RESIDENTIAL UNITS PER FLOOR
025	40		J-2	6		SIX (6) RESIDENTIAL UNITS
026	40		J-2	3.33	2	3 RESIDENTIAL UNITS, LOWER PORTION OF TRIPLEX (EXCLUDING 26C)

Borough Commissioner

Commissioner

DOCUMENT CONTINUES ON NEXT PAGE



Certificate of Occupancy

Page 3 of 3

CO Number: 104195728T006

Permissible Use and Occupancy						
All Building Code occupancy group designations are 1968 designations, except RES, COM, or PUB which are 1938 Building Code occupancy group designations.						
Floor From To	Maximum persons permitted	Live load lbs per sq. ft.	Building Code occupancy group	Dwelling or Rooming Units	Zoning use group	Description of use
027	40	J-2	2.33	2		1 RESIDENTIAL UNIT, LOWER PART OF 2 DUPLEX UNITS MID PORTION OF TRIPLEX UNIT
028	40	J-2	2.33	2		1 RESIDENTIAL UNIT, UPPER PORTION OF 2 DUPLEX UNITS, UPPER PORTION OF TRIPLEX UNIT
029	75	D-2		2		MECHANICAL EQUIPMENT ROOMS
030	75	D-2		2,4		MECHANICAL EQUIPMENT ROOMS
ROF	75	D-2		2,4		ELEVATOR MACHINE ROOM

END OF SECTION

Borough Commissioner

Commissioner

END OF DOCUMENT

104195728T006 11/13/2009 3:59:07 PM